

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL J. TAYLOR,

Plaintiff,

v.

ALABAMA POWER CO.,

Defendant.

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CIVIL ACTION NO. 1:23-00116-KD-N

ORDER

After due and proper consideration of the issues raised, and there having been no objections or new evidence filed, the Report and Recommendation of the Magistrate Judge (doc. 30) dated August 26, 2024 and made under 28 U.S.C. § 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), and S.D. Ala. GenLR 72(a), is **ADOPTED** as the opinion of this Court.

Accordingly, Defendant Alabama Power Company's motion pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff Michael J. Taylor's first amended complaint (doc. 24) is **GRANTED**. Accordingly, this action is **DISMISSED with prejudice**.

Judgment shall be entered by separate document, in accordance with Rule 58(a) of the Federal Rules of Civil Procedure.

DONE and ORDERED this the 4th day of October 2024.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE